

IN THE MATTER OF THE
THE APPLICATION OF
CLARENCE COX, TRUSTEE
/LEGAL OWNER
FOR A SPECIAL EXCEPTION AND
VARIANCES ON PROPERTY LOCATED
ON THE SOUTH SIDE EASTERN
BOULEVARD, 25' WEST OF THE
CENTERLINE LYNBROOK ROAD
(2925 EASTERN BOULEVARD)
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

OPINION AND ORDER

The above-entitled matter came on for hearing before this Board on March 24, 1993 on Petition for Special Exception for a sign and Petition for Zoning Variances from Sections 413.3B and 238.2 of the Baltimore County Zoning Regulations (BCZR). The Petitioner, Penn Advertising of Baltimore, Inc., appeared represented by Fred M. Lauer, Esquire. The matter was presented to the Board. No persons or parties appeared in opposition to Petitioner's request.

Based upon the testimony given by the Petitioner, it is the finding of this Board that the special exception and the variances are granted. The Board gave its reasons and findings of fact supporting this Order orally on the date of the above hearing.

IT IS THEREFORE this 12th day of April, 1993 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Exception to permit a 12' x 25' single-faced illuminated poster panel sign on the subject property, in accordance with Petitioner's Exhibit No. 8, be and is hereby GRANTED; and it is further

ORDERED that the Petition for Zoning Variance from Section

Case No. 92-59-XA Clarence Cox
413.3B of the Baltimore County Zoning Regulations (BCZR) to permit an outdoor advertising sign to be located 53 feet from the right-of-way of a dual highway in lieu of the required 100 feet, and from Section 238.2 of the BCZR to permit a side yard setback of 10.5 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit No. 8, be and is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Michael B. Sauer, Acting Chairman
John G. Disney
S. Diane Levero

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - S/S Eastern Boulevard, 25' W of the c/l of Lynbrook Road (2925 Eastern Boulevard) 15th Election District 5th Councilmanic District
Clarence Cox, Trustee
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to permit a 12' x 25' illuminated sign on the subject property and a variance from Section 413.3B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an outdoor advertising sign to be located 53 feet from the right-of-way of a dual highway in lieu of the required 100 feet, and from Section 238.2 of the B.C.Z.R. to permit a side yard setback of 10.5 feet in lieu of the required 30 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Donna Hayward, Real Estate Manager for Penn Advertising of Baltimore, Inc., Contract Lessee, appeared, testified and was represented by Fred M. Lauer, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 2925 Eastern Boulevard, consists of 1.58 acres more or less zoned B.R., and is improved with an automobile repair and outdoor automobile sales business. Petitioner has entered into a contract to lease a small portion of the site to Penn Advertising of Baltimore to erect a 12' x 25' advertising sign. Petitioner testified the use proposed would not be detrimental to surrounding uses, which are predominantly industrial uses, and cited the existence of numerous other signs in the immediate vicinity.

ORDER RECEIVED FOR FILING
Date By

It should be noted that the Baltimore County Council, by Bill No. 87-91 which was passed earlier this year, specifically prohibited outdoor advertising signs in the B.R. zones. Previously, such signs were permitted by special exception in said zones. The Petitioner filed the instant Petition in the eleventh hour just prior to the enactment of the subject Bill in the hopes of obtaining one of the last outdoor advertising signs to be permitted by special exception in a B.R. zone.

It should also be noted that Petitioner received unfavorable comments from Pat Keller, Deputy Director of the Office of Planning, who requested that the Petitioner's request be denied given the change in the policy concerning such signs and the County Council's intent to eliminate outdoor advertising signs altogether in the B.R. zones.

After reviewing all of the testimony and evidence presented, it is clear the special exception should not be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

Inasmuch as the Petitioner's request for a special exception has been denied, the Petitioner's request for variances need not be addressed. Therefore, the Petition for Zoning Variance shall be dismissed as moot.

ORDER RECEIVED FOR FILING
Date By

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception should be denied and the variance dismissed.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of October, 1991 that the Petition for Special Exception to permit a 12' x 25' single-faced illuminated poster panel sign on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 413.3B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an outdoor advertising sign to be located 53 feet from the right-of-way of a dual highway in lieu of the required 100 feet, and from Section 238.2 of the B.C.Z.R. to permit a side yard setback of 10.5 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DISMISSED AS MOOT.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 15, 1991

Fred M. Lauer, Esquire
3001 Remington Avenue
Baltimore, Maryland 21211

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
S/S Eastern Boulevard, 25' W of the c/l of Lynbrook Road
(2925 Eastern Boulevard)
15th Election District - 5th Councilmanic District
Clarence Cox, Trustee - Petitioner
Case No. 92-59-XA

Dear Mr. Lauer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied and the Petition for Zoning Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for one (1) illuminated 12' x 25' sign structure.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract LESSOR:

Penn Advertising of Baltimore, Inc.
(Type or Print Name)

Signature

3001 Remington Avenue
Address

Baltimore, Maryland 21211
City and State

Attorney for Petitioner:

Fred Lauer, Esq.
(Type or Print Name)

Signature

3001 Remington Avenue
Address

Baltimore, Maryland 21211
City and State

Attorney's Telephone No.: (301) 235-8820

Legal Owner(s):

Clarence Cox
(Type or Print Name)

Signature

Clarence Cox, Trustee
(Type or Print Name)

Signature

528 Eastern Blvd.
Address

Baltimore, Maryland 21221
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this day of 19, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the day of 19, at o'clock M.

Zoning Commissioner of Baltimore County.

ECO-No 1

(over)

ORDER RECEIVED FOR FILING

Date

By

mk - 8/2/91
avail anytime
est time - 1 hr.

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.3B to allow an outdoor advertising sign 58' from the right-of-way of a dual highway in lieu of the required 100'. A variance to Section 238.2 to allow a side yard of 10.5' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract LESSOR:

Penn Advertising of Baltimore, Inc.
(Type or Print Name)

Signature

3001 Remington Avenue
Address

Baltimore, Maryland 21211
City and State

Attorney for Petitioner:

Fred Lauer, Esq.
(Type or Print Name)

Signature

3001 Remington Avenue
Address

Baltimore, Maryland 21211
City and State

Attorney's Telephone No.: (301) 235-8820

Legal Owner(s):

Clarence A. Cox
(Type or Print Name)

Signature

Clarence A. Cox, Trustee
(Type or Print Name)

Signature

528 Eastern Boulevard
Address

Baltimore, Maryland 21221
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this day of 19, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the day of 19, at o'clock M.

Zoning Commissioner of Baltimore County.

(over)

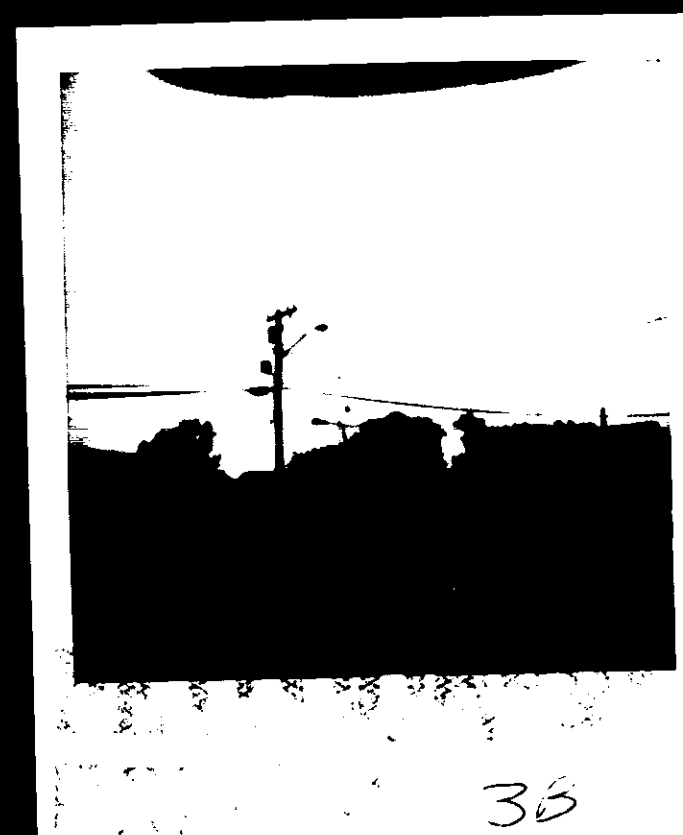
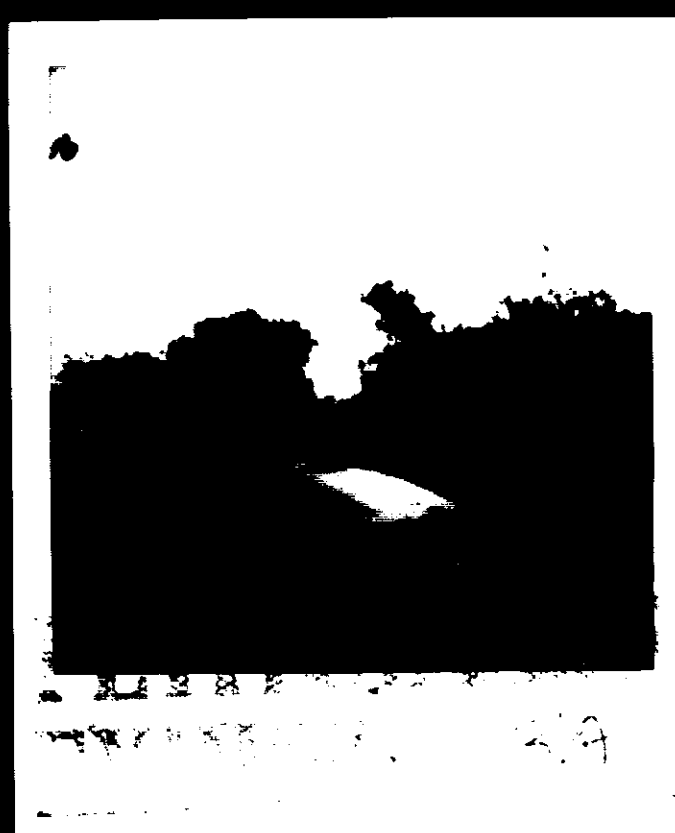
mk - 8/2/91
avail anytime
est time - 1 hr.

	PERIOD AND YEAR COMPARISONS			
	THIS PERIOD		TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
FATAL ACC.		124		12
P-1, ACC.		9706		9706
P-0, ACC.		12319		12319
TOTAL		22209		22209
TOTAL KILLED		135		13
PEDS. KILLED		30		3
TOTAL INJURED		10079		1007
PEDS. INJURED		88		8
TOTAL		10214		1021

TRAFFIC ACCIDENTS BY CLASSIFICATION

	FAT. ACCS.		KILLED		NO- INJ. ACCS.		NO- INJURED		PROP. DAM.		TOTAL	PERCENT
	1990	1991	1990	1991	1990	1991	1990	1991	1990	1991		
M.V. IN TRANSPORT	98	65	0	0	6090	12279	6145	12893	3168	3452	71	71
PARKED MOTOR VEHICLE	0	0	0	0	318	21	318	21	0	0	23	0
M.V. ON OTHER ROADWAY	0	0	0	0	12	21	11	21	31	228	0	0
PEDESTRIAN	25	24	2	2	672	147	147	19	161	0	0	0
PEDESTAL	0	0	1	1	162	2	2	2	0	0	0	0
OTHER PED CONVEYANCE	0	0	0	0	30	43	220	250	0	0	0	0
ANIMAL	0	0	0	0	0	0	0	0	5	0	0	0
RAILWAY TRAIN	0	0	0	0	1719	2179	2457	4206	0	0	1	1
FIXED OBJECT	31	37	0	0	29	37	97	125	0	0	0	0
OTHER OBJECT	0	0	0	0	93	136	28	114	0	0	0	0
OVERTURNED	12	12	0	0	67	82	141	208	0	0	0	0
OTHER NON-COLLISION	0	0	0	0	9766	16079	12519	22209	0	0	0	0
TOTAL	132	135	4	4	9766	16079	55.5%	100.0%				

DEFENDANT'S
EXHIBIT 2



Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

BALTIMORE COUNTY BUSINESSES
USING OUTDOOR

A & N Jewelers
ABT
All Star Video
Allstate Insurance Co.
Associated Catholic Charities
Baltimore School of Cosmetology
Baltimore RV Show
Baltimore County Travel
Barbera Business Systems
Beal GMC
Bell Atlantic
Blake Realty
Bob Bell Chevrolet
Breton Woods
Brookrest
Campbell Land, Inc.
Century 21
Chapman Nursery & Sons
Cokeville Llc Schools
Dennis, Lewis, McPherson, Kasperowicz & Alexander, P.C.
Donna's Dressery
Edwards
Eldermire Highhouse
Ethnic Community College
Eufrasia Apartments
Fairways Mall
Fleming Gas Service
First National Bank
Flora Marie & Sons
Gordon's Ethan Allen Galleries
International Graphics
Johanna's Boutique
Kendall's Bookends & Bookings
Hamburgers
Hardens Food Systems
Heat Pump Association
Hechinger
Henderson Webb
Home Pool & Spa
Home Builders Association
Home Extremator
Howe Pool & Spas
Jewish Charities
Judge & Wave Length

P.O. Box 4868, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore MD 21211 (301) 235-8820

Penn Adv.

PENN ADVERTISING OF BALTIMORE, INC.

INVENTORY - BALTIMORE COUNTY LOCATIONS
1980 - 1991

YEAR	FACES	# OF LOCATIONS
1980	331	189
1991	227	130
# LOSS	104	59

REDUCTION OF APPROXIMATELY 53% OF INVENTORY IN 10+ YEARS

ZONING DISTRICTS - 1991

ZONE	NUMBER	PERCENT
Business Local (B, L, L)	58	4%
Business Major (B, M, L)	7	0.5%
Business Non-local (B, N, L)	17	1%
Manufacturing Light (M, L, L)	17	1%
Manufacturing Heavy (M, H, L)	16	1%
*Other	4	0.3%
TOTAL	129	100%

*Constructed prior to 1945, and approved by Zoning Commission.

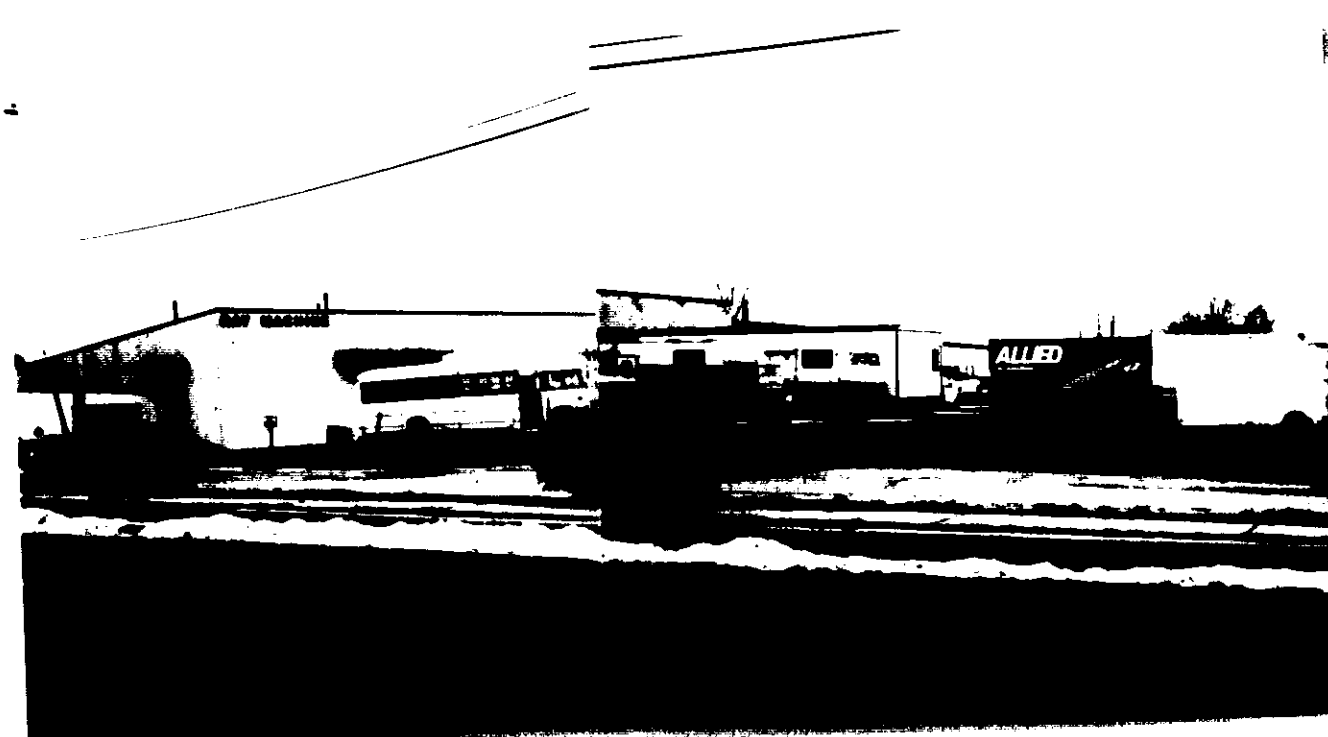
EXHIBIT 5

P.O. Box 4866, Baltimore, MD 21211 Shipping 2930 Remington Ave., Baltimore, MD 21211 (301) 235-8820

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE
SOUTH



MANUFACTURING AND STORAGE

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

**ADJACENT LAND USE
NORTH SIDE OF EASTERN BOULEVARD**



MINI STORAGE AND MANUFACTURING PLANT

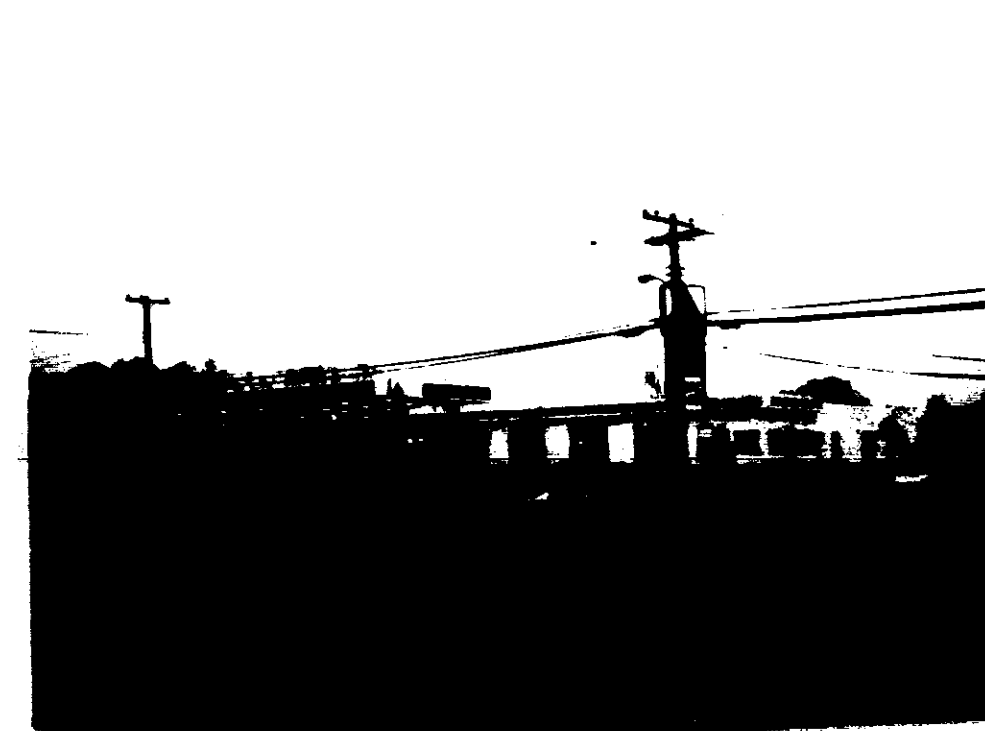
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ADJACENT LAND USE



EAST



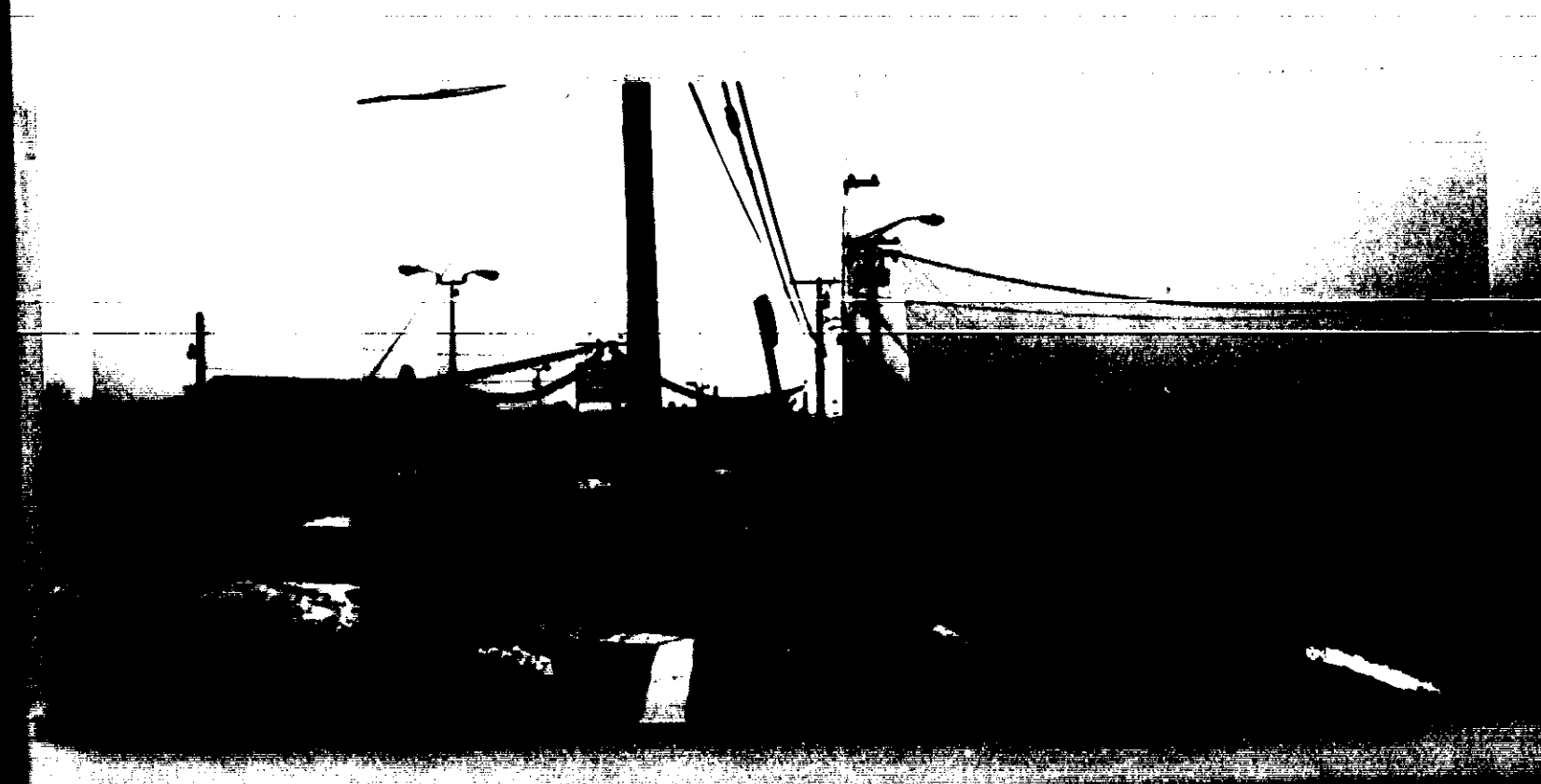
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EASTERN BOULEVARD



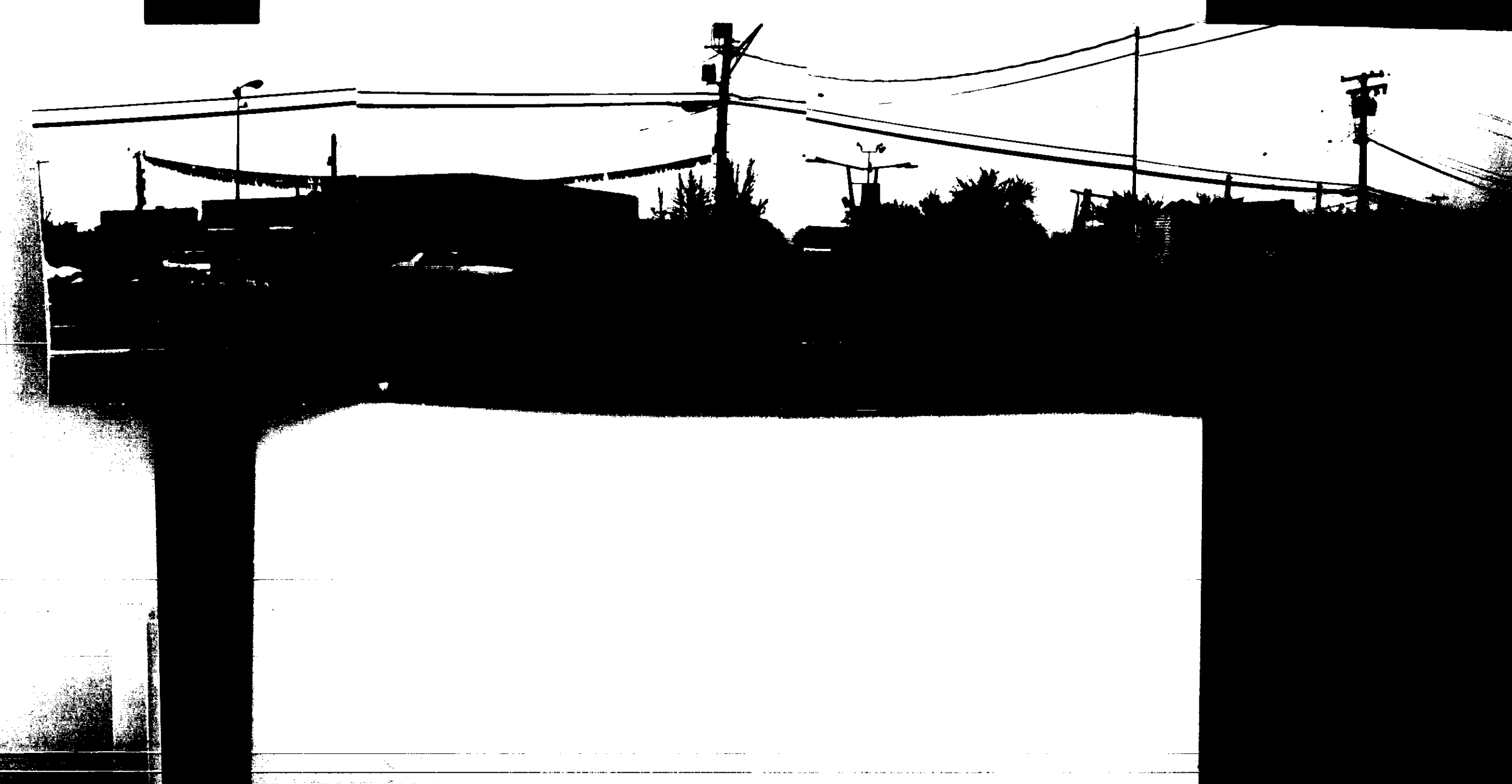
**VIEW
LOOKING
EAST**

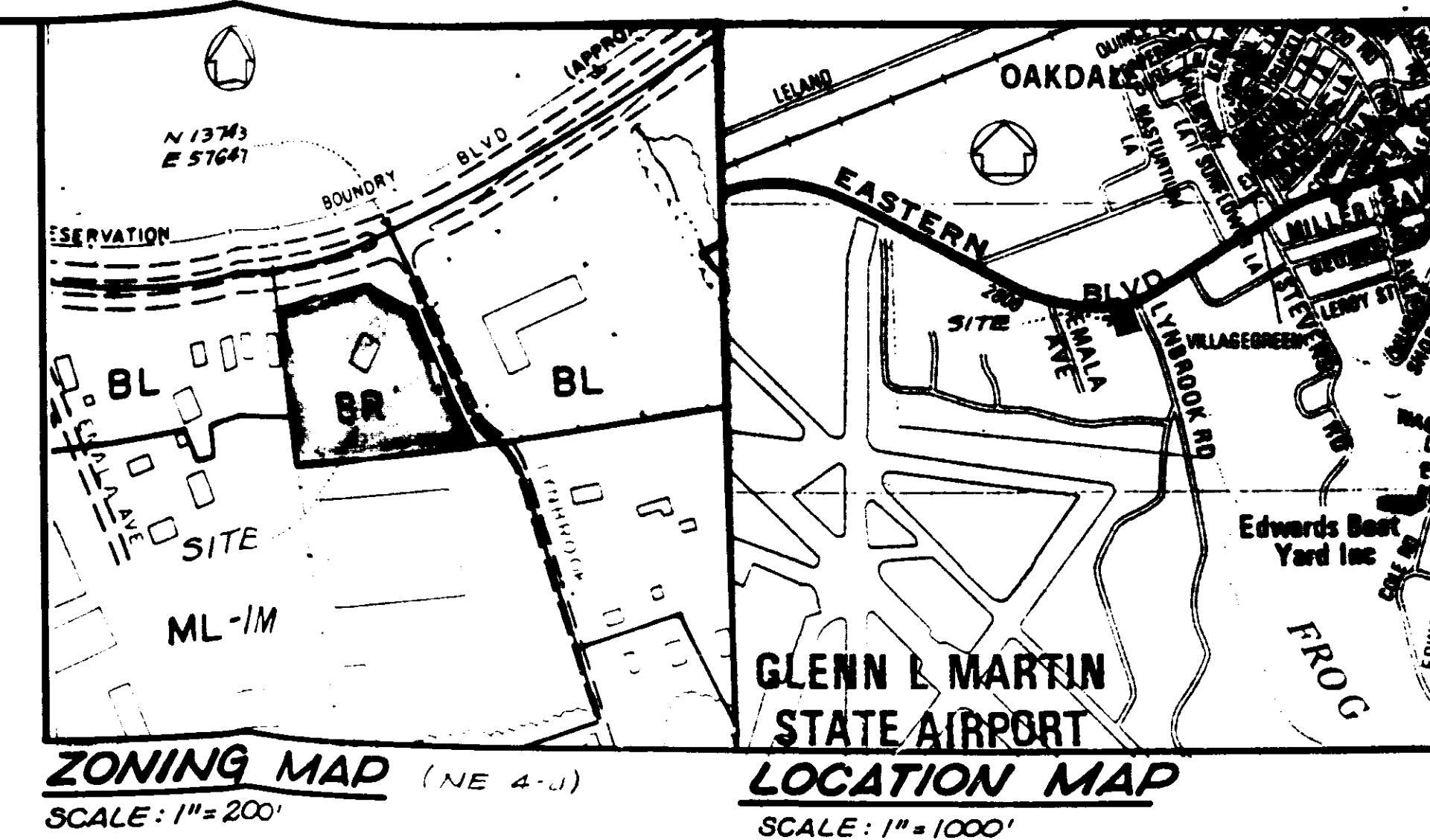
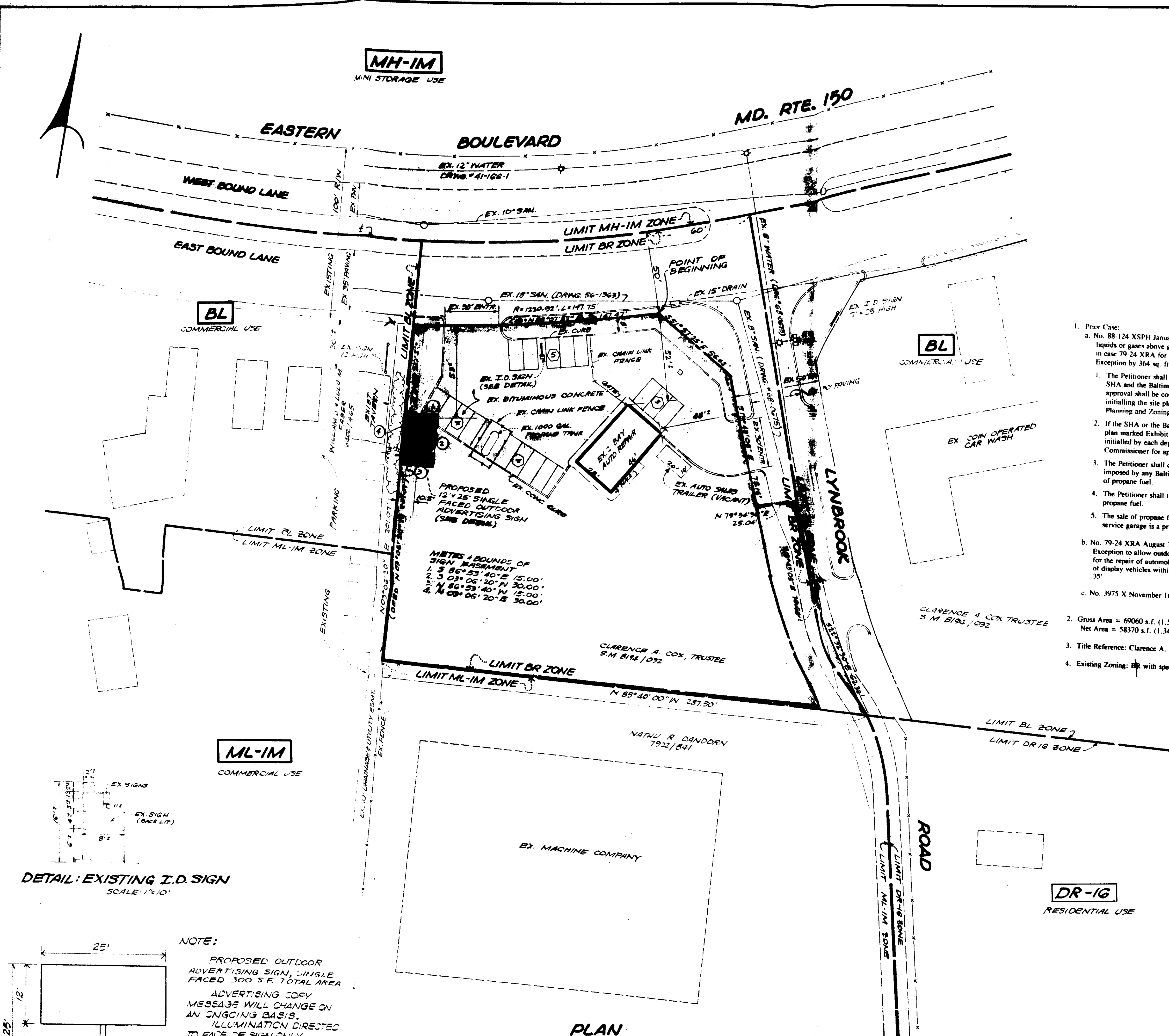


WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

2925 EASTERN BOULEVARD

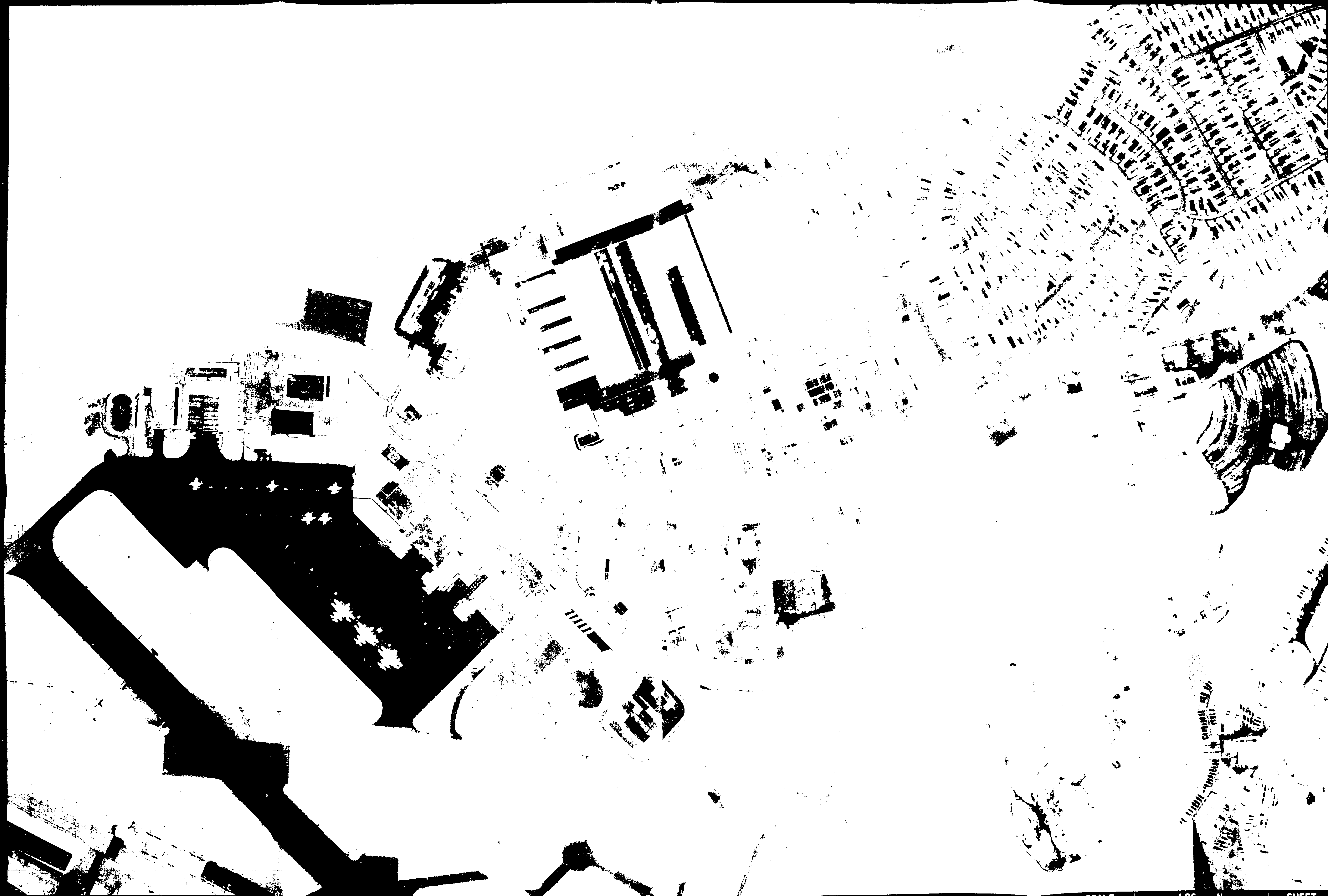




- ZONING NOTES**
- Prior Case:
 - No. 88-124 XSPH January 12, 1988: Special Exception for storage of inflammable liquids or gases above ground; and a Special Hearing to amend the site plan approved in case 79-24 XRA for the sale of propane fuel and a reduction of the original Special Exception by 364 sq. ft. Subject to:
 - The Petitioner shall obtain approval of the Site Plan marked Exhibit 1 from the SHA and the Baltimore County Fire Department within 30 days of this Order. Said approval shall be confirmed by authorized representatives from each department initialing the site plan. Thereafter, the site plan shall be submitted to the Office of Planning and Zoning for approval.
 - If the SHA or the Baltimore County Fire Department require a change in the site plan marked Exhibit 1, the Petitioner shall file a revised site plan that has been initiated by each department to the Zoning Commissioner or Deputy Zoning Commissioner for approval.
 - The Petitioner shall comply with all regulations, requirements, and conditions imposed by any Baltimore County department regarding the propane tank and sale of propane fuel.
 - The Petitioner shall train all employees who will be involved in the sale of propane fuel.
 - The sale of propane fuel on the property is permitted only as long as the existing service garage is a primary use of the property by the Petitioner.
 - No. 79-24 XRA August 3, 1978: Reclassification from M.L. to B.R. with a Special Exception to allow outdoor used automobile sales separate from a sales building; and for the repair of automobiles in a B.R. zone; and with a Variance to allow the parking of display vehicles within 8' of the right-of-way of Eastern Avenue in lieu of the required 35'.
 - No. 3975 X November 16, 1956: Special Exception to allow use as gasoline station.
 - Gross Area = 69060 s.f. (1.58 ac. +/-)
Net Area = 58370 s.f. (1.34 ac. +/-)
 - Title Reference: Clarence A. Cox, Trustee - 8194/032
 - Existing Zoning: BL with special exceptions and variances as indicated in Zoning Notes
 - Proposed Zoning: BR with a special exception for an outdoor advertising sign and an additional Variance to Section 413.3b to allow an outdoor advertising sign 58' from the right of way of a dual highway in lieu of the required 100' VARIANCE TO SECTION 238.2 TO ALLOW A SIDE YARD OF 10.5' IN LIEU OF THE REQUIRED 30'.
 - Existing Use: Automobile Repair and outdoor automobile sales
 - Proposed Use: Automobile Repair and outdoor automobile sales with outdoor advertising sign.
 - All Existing Structures On Site To Remain. Existing automobile repair 1299 s.f. gross floor area, existing sales trailer 200 s.f. gross floor area
 - Floor Area Ratio: 1499/69060 = 0.022 (max. allowed 2.0)
 - Off Street Parking
 - Parking Required @ 1 space per 300 s.f. gross floor area auto repair = 5 spaces
@ 1 space per 200 s.f. gross floor area auto sales = 1 space
 - Total Spaces Required: = 6
 - Total Spaces Provided: 16
 - Minimum Parking Space: 8.5' x 18'
 - All Paved Surfaces Are Bituminous Concrete.
 - Building Setback Requirements
 - Front: 50' from dual highway (EXISTING ADVERTISING SIGN 100' SETBACK)
 - Side: 30'
 - Rear: 30'
 - Setbacks Provided (For Proposed Sign Only):
 - Front: 53' (variance to 413.3b requested)
 - Side: 10.5'
 - Rear: 118'
 - Section 413.3 Notes
 - Total Surface Of Sign Area = 300 s.f.
 - Sign is located at/or beyond the minimum front yard requirement for a commercial building.
 - Sign is located more than 100' from an intersection involving a dual lane highway and 50' from an intersection of any street
 - Section 413.5 Notes (BCZR)
 - Maximum sign height is 25'
 - Illumination is confined to the surface of the sign and is directed to the face of the sign only.
 - The property outline shown herein is based on deeds, plats, and other sources. It does not represent a field survey, or property determination.

EXHIBIT 8

PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION & ZONING VARIANCE
PENN ADVERTISING, INC.
2925 EASTERN BOULEVARD
15TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 20, 1991



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

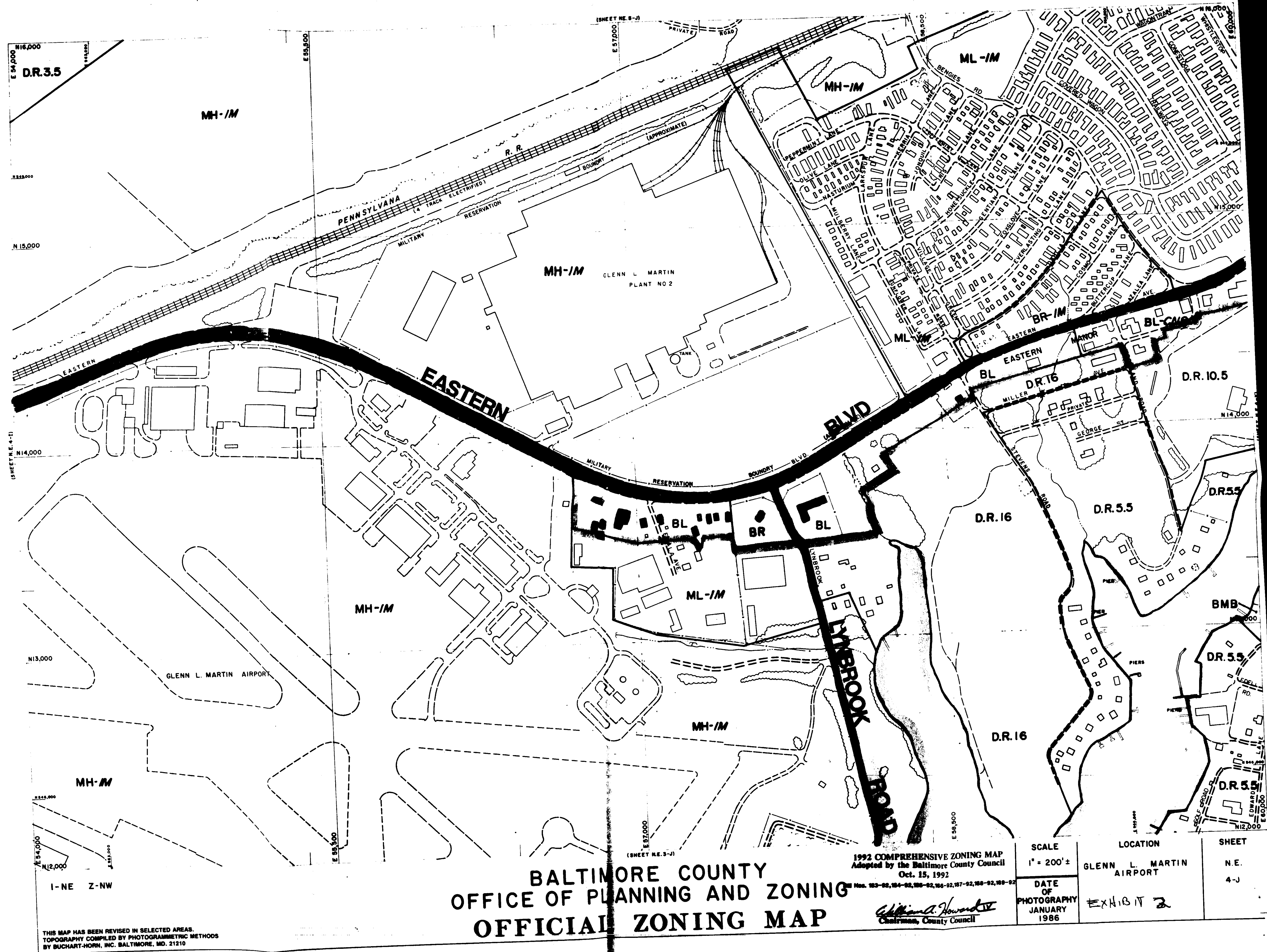
LOCATION

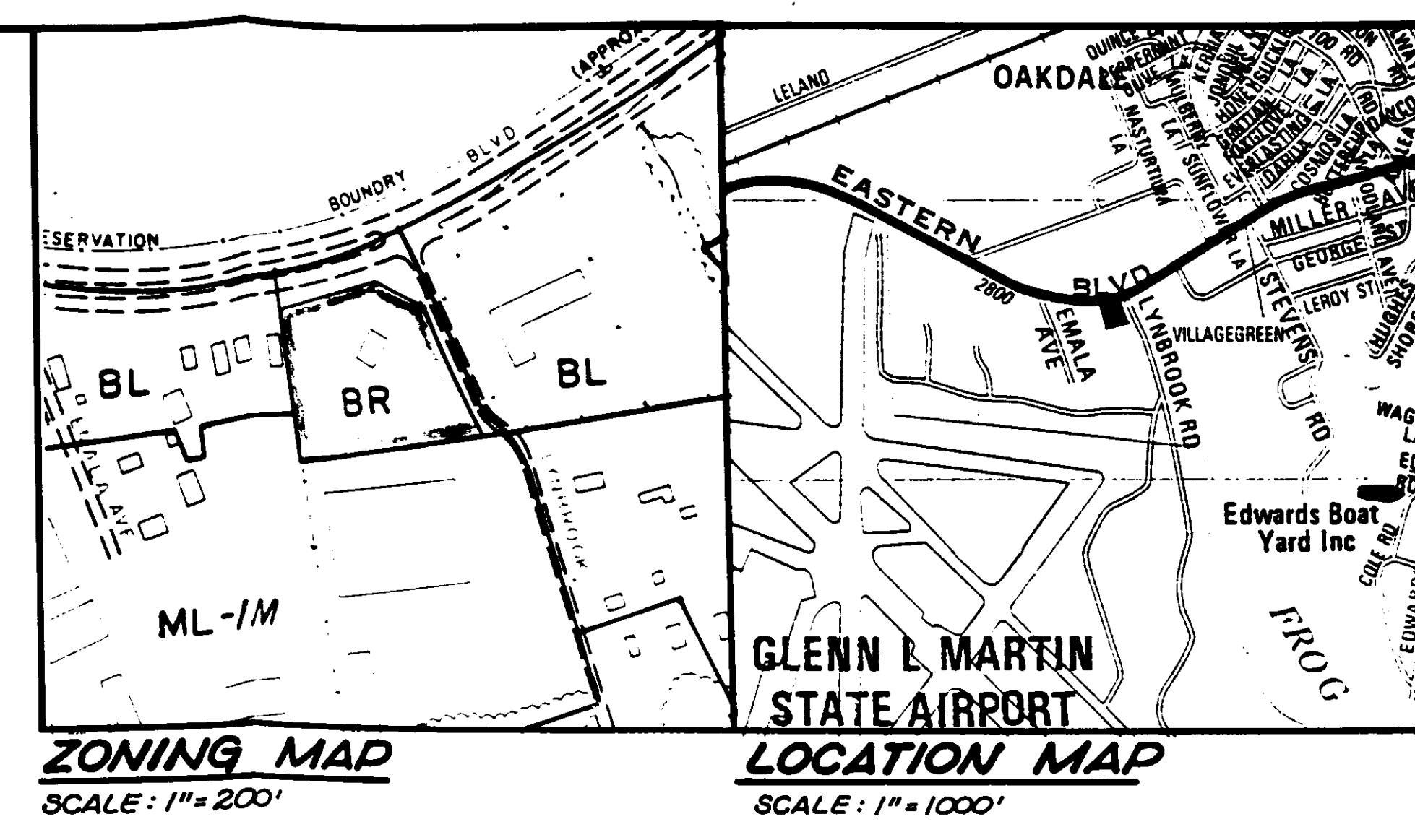
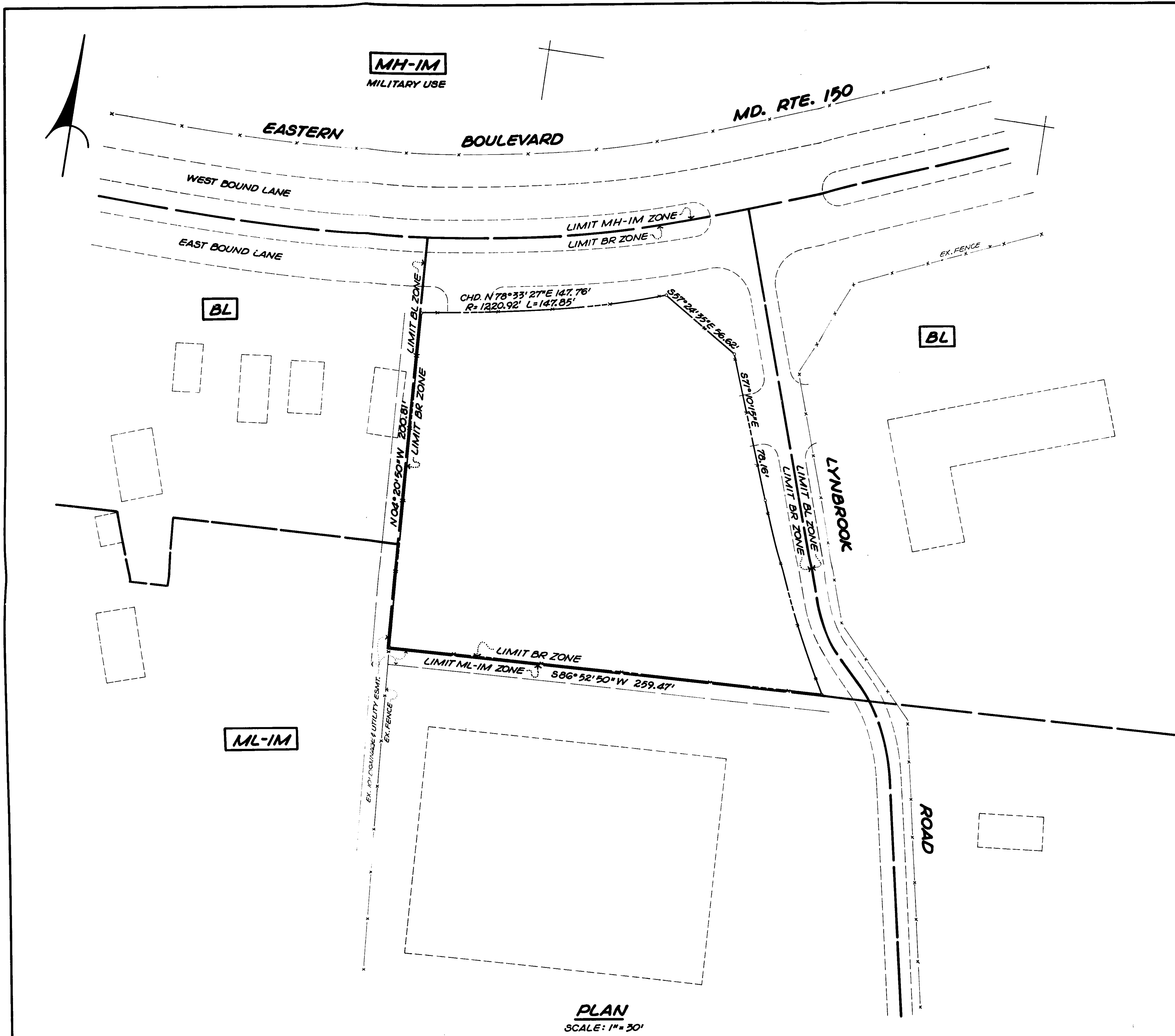
GLENN L. TITIN CO.
AIR

EXHIBIT 1

SHEET

N.E.
4-J





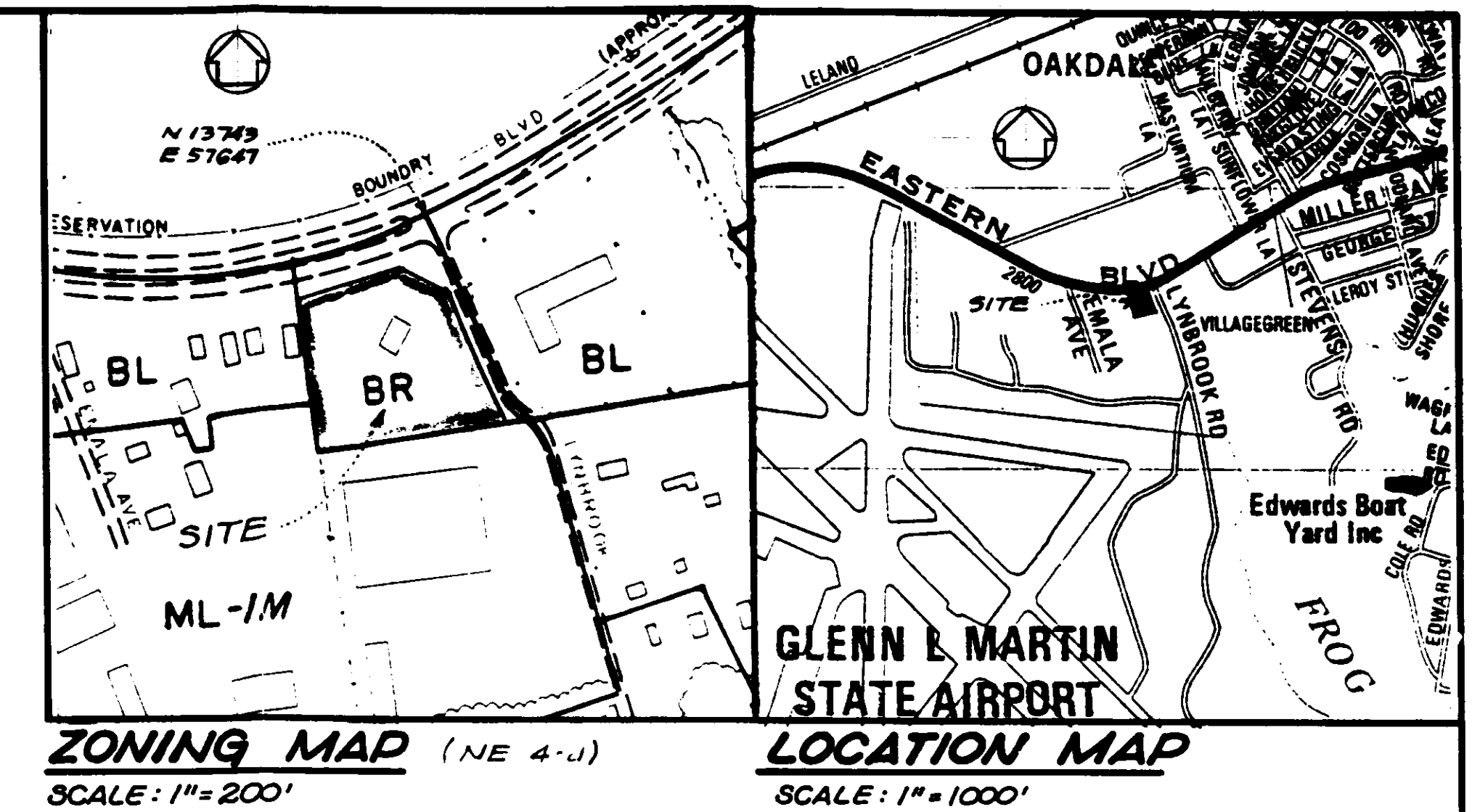
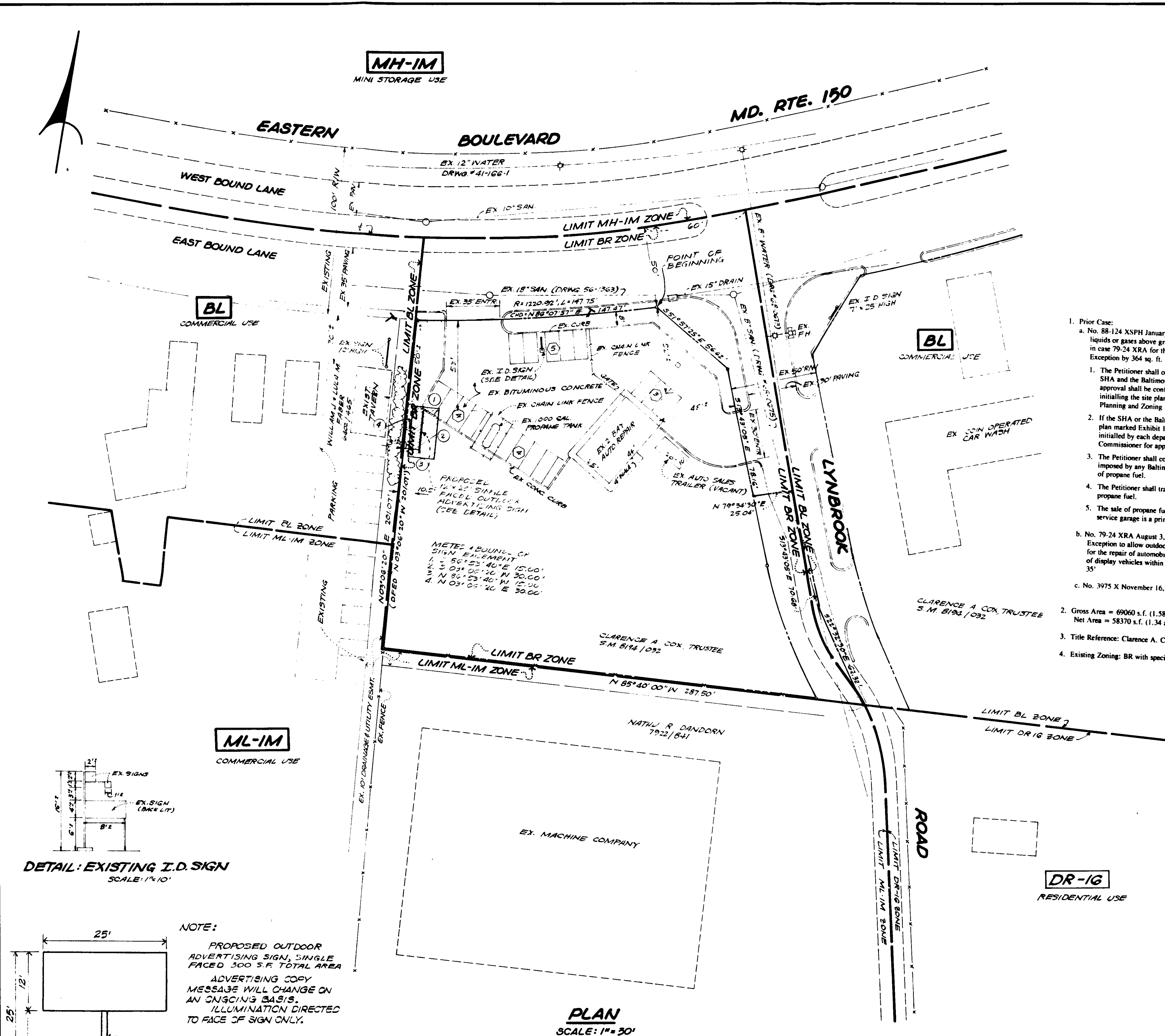
ZONING NOTES

92-59-X

#56

PREPARED BY:
RICHARD TRUELOVE P.E., INC.
registered professional engineer
28 EAST SUSQUEHANNA AVENUE
TONICER, MARYLAND 21204
(301) 494-2914

PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
PENN ADVERTISING, INC.
2925 EASTERN BOULEVARD
15TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 2, 1991



ZONING NOTES

- Prior Case:
 - No. 88-124 XSPH January 12, 1988: Special Exception for storage of inflammable liquids or gases above ground; and a Special Hearing to amend the site plan approved in case 79-24 XRA for the sale of propane fuel and a reduction of the original Special Exception by 364 sq. ft. Subject to:
 - The Petitioner shall obtain approval of the Site Plan marked Exhibit 1 from the SHA and the Baltimore County Fire Department within 45 days of this Order. Said approval shall be confirmed by authorized representatives from each department initialing the site plan. Thereafter, the site plan shall be submitted to the Office of Planning and Zoning for approval.
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 - The Petitioner shall comply with all regulations, requirements, and conditions imposed by any Baltimore County department regarding the propane tank and sale of propane fuel.
 - The Petitioner shall train all employees who will be involved in the sale of propane fuel.
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- Gross Area = 69060 s.f. (1.58 ac. +/-)
Net Area = 58370 s.f. (1.34 ac. +/-)
- Title Reference: Clarence A. Cox, Trustee, 8194/032
- Existing Zoning: BR with special exceptions and variances as indicated in Zoning Notes
- Proposed Zoning: BR with a special exception for an outdoor advertising sign and an additional Variance to Section 413.3b, to allow an outdoor advertising sign 5' from the right-of-way of a dual highway in lieu of the required 100' VARIANCE TO SECTION 238.3 TO ALLOW A SIDE YARD OF 10.5' IN LIEU OF THE REQUIRED 50' SIDE YARD.
- Existing Use: Automobile Repair and outdoor automobile sales
- Proposed Use: Automobile Repair and outdoor automobile sales with outdoor advertising sign.
- All Existing Structures On Site To Remain. Existing automobile repair 1299 s.f. gross floor area, existing sales trailer 200 s.f. gross floor area.
- Floor Area Ratio: 1499/69060 = 0.022 (max. allowed 2.0)
- Off Street Parking
 - Parking Required @ 1 space per 300 s.f. gross floor area auto repair = 5 spaces
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 - Total Spaces Required: = 6
 - Total Spaces Provided: 16
 - Minimum Parking Space: 8.5' x 18'
 - All Paved Surfaces Are Bituminous Concrete.
- Building Setback Requirements
 - Front - 50' from dual highway (OUTDOOR ADVERTISING SIGN 100' SETBACK)
 - Side - 30'
 - Rear - 30'
- Setbacks Provided (For Proposed Sign Only):
 - Front - 53' (variance to 413.3b requested)
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 - Sign is located at/or beyond the minimum front yard requirement for a commercial building.
 - Sign is located more than 100' from an intersection involving a dual lane highway and 50' from an intersection of any street
- Section 413.5 Notes (B.C.Z.R.)
 - Maximum sign height is 25'
 - Illumination is confined to the surface of the sign and is directed to the face of the sign only.
- The property outline shown herein is based on deeds, plats, and other sources. It does not represent a field survey, or property determination.

APPLICANT:
PENN Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

OWNER:
Clarence A. Cox, Trustee
528 Eastern Boulevard
Baltimore, Maryland 21221

Property I.D. No. 1519850540

PREPARED BY:
RICHARD TRUELOVE P.E., INC.
registered professional engineer
28 EAST BIRCHMAN AVENUE
TOWSON, MARYLAND 21204
(301) 494-4914

PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION & ZONING VARIANCE
PENN ADVERTISING, INC.
2925 EASTERN BOULEVARD

15TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 20, 1991

Revised Plans - 8/21/91
92-59-X
56

ZONING DESCRIPTION

Beginning for the same at a point on the south side of Eastern Boulevard, (MD. Route 150), 100 feet wide and the southwest fillet line of Lynbrook Road, 50 feet wide; said point being 60 feet west measured along the centerline of Eastern Boulevard and 50 feet south measured radially from the centerline of Eastern Boulevard. Running thence and binding on the west side of Lynbrook Road:

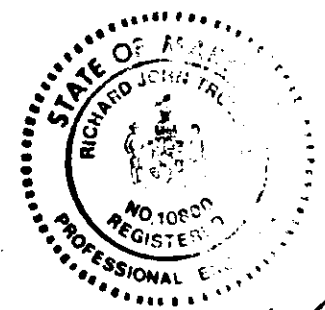
1. south 51 degrees 57 minutes 25 seconds east 56.62 feet
2. south 13 degrees 43 minutes 05 seconds east 78.16 feet

thence leaving the west side of Lynbrook road north 79 degrees 34 minutes 30 seconds east 25.04 feet; running in or near the centerline of the bed of Lynbrook Road the following courses and distances:

1. south 13 degrees 43 minutes 05 seconds east 70.68 feet
2. south 22 degrees 32 minutes 30 seconds east 62.32 feet

thence leaving Lynbrook Road north 85 degrees 40 minutes 00 seconds west 287.50 feet; north 03 degrees 06 minutes 20 seconds, east 201.07 feet to intersect the south side of Eastern Boulevard; thence along the south right of way line Eastern Boulevard by a curve to the left having a radius of 1220.92 feet (the chord of said curve being north 86 degrees 07 minutes 57 seconds east 147.47 feet) to the place of beginning.

letters 91019des



REVISED PLANS

8/21/91
92-59-X
#56

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1254 Date of Posting: 8/21/91
 Posted for: David Frederick Harmon
 Petitioner: Clarence Cox, individually and as trustee of the Trust of the County Office Building
 Location of property: 111 West Chesapeake Avenue, Towson, Maryland 21204
 Location of Sign: 111 West Chesapeake Avenue, Towson, Maryland 21204
 Remarks: See attached map of property
 Posted by: Michael J. Harmon Date of return: 8/21/91
 Number of Signs: 2

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1254 Date of Posting: 8/21/91
 Posted for: Appeal
 Petitioner: Clarence Cox
 Location of property: 111 West Chesapeake Avenue, Towson, Maryland 21204
 Location of Sign: 111 West Chesapeake Avenue, Towson, Maryland 21204
 Remarks: See attached map of property
 Posted by: Michael J. Harmon Date of return: 8/21/91
 Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/5, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/5, 1991

THE JEFFERSONIAN,

C. Zobe Olson
Publisher

\$ 35.18

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____, 19____

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on _____, 19____

THE JEFFERSONIAN,

S. Zobe Olson
Publisher

CERTIFICATE OF PUBLICATION Office of THE AVENUE NEWS

442 Eastern Blvd.
Baltimore, MD. 21221 Sept. 5, 1991

THIS IS TO CERTIFY, that the annexed advertisement of

Zoning Hearings in the matter of 2925 Eastern Blvd. P.O. # 0114503, Req. #HS4936
Case # 92-59-X, 52.5 lines @.55 or \$31.50

was inserted in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for 1 successive week(s) before the 6 day of September, 1991; that is to say, the same was inserted in the issues of September 5, 1991

The Avenue Inc.
per publisher

By David H. Hildner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:
 Case Number: 92-59-X
 52.5 Eastern Boulevard, 25' W of c/l Lynbrook Road
 2925 Eastern Boulevard
 15th Election District - 5th Councilmember
 Legal Owner(s): Clarence Cox, Individually and Trustee
 Contract Lessor: Penn Advertising of Baltimore, Inc.
 HEARING: TUESDAY, OCTOBER 8, 1991 at 9:00 a.m.
 Special Exception for one illuminated 12 ft x 28 ft sign structure
 Zoning Commissioner of Baltimore County



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

REVISED PLANS

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111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 20, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-59-1
S/S Eastern Boulevard, 25' W of c/l Lyndbrook Road
2525 Eastern Boulevard
15th Election District - 5th Councilmanic
Legal Owner(s): Clarence Cox, Individually and Trustee
Contract Lessor: Penn Advertising of Baltimore, Inc.
HEARING: TUESDAY, OCTOBER 8, 1991 at 9:00 a.m.

Special Exception for one illuminated 12 ft. x 25 ft. sign structure.

Zoning Commissioner of
Baltimore County

cc: Clarence Cox
Penn Advertising of Baltimore, Inc.
Fred Lauer, Esq.



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

AUGUST 20, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-59-1A
S/S Eastern Boulevard, 25' W of c/l Lyndbrook Road
2525 Eastern Boulevard
15th Election District - 5th Councilmanic
Legal Owner(s): Clarence Cox, Individually and Trustee
Contract Lessor: Penn Advertising of Baltimore, Inc.
HEARING: TUESDAY, OCTOBER 8, 1991 at 9:00 a.m.

Special Exception for one illuminated 12 ft. x 25 ft. sign structure.

Variance to allow an outdoor advertising sign 53 ft. from the right-of-way of a dual highway in lieu of the required 100 ft.; and to allow a side yard of 10.5 ft. in lieu of the required 30 ft.

Zoning Commissioner of
Baltimore County

cc: Clarence Cox
Penn Advertising of Baltimore, Inc.
Fred Lauer, Esq.



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

September 26, 1991

Fred Lauer, Esquire
3001 Remington Avenue
Baltimore, MD 21211

RE: Item No. 56, Case No. 92-59-XA
Petitioner: Clarence A. Cox
Petition for Zoning Variance

Dear Mr. Lauer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Clarence A. Cox
Ms. Donna Hayward



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
21st day of August, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Clarence A. Cox

Petitioner's Attorney: Fred Lauer

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon DATE: September 18, 1991
Zoning Administration and
Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Cox Property, Item No. 54 and 56

The petitioner requests a Special Exception for an illuminated 12' x 25' advertising sign and an additional request for a variance to setback requirement.

Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety and traffic safety, since these signs are distracting. The very purpose of an outdoor advertising sign is to attract the attention of the operator of motor vehicles, so that a commercial message is noticed.

This office recognizes that high standards for signs enhance the esthetic appearance of the community and the ability of the commercial sector to thrive in an attractive environment.

In many commercial areas it is difficult to locate commercial uses: not because of a general lack of signs, but because of excessive sign size which has been exacerbated by competitive waste. In many areas of the county, some business people increase signage in order to compete with each other for attention.

The Baltimore County Master Plan makes several references to the importance of controlling signage, specially on Page 74, in the following issue is identified:

"The sign regulations need to be completely updated and revised. The regulations should distinguish between new and existing signs, as well as public and private signage. Incentives for ... phasing out nonconforming uses should be evaluated. Compliance with adopted local community plans should also be considered."

Page 2
Item No. 54 and 56
September 18, 1991

On Page 116 of the Master Plan the following short-term action is called for in the Eastern Sector:

"Clear up signage to reduce clutter and to provide adequate directional signage."

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL:rdn
ITEMS54.56/TXTROZ



700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

SEPTEMBER 18, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: REVISED PETITIONS AND DESCRIPTIONS AND
PLANS WERE RECEIVED FOR

Location: CASE #92-59-X

Item No.: #56 Zoning Agenda: AUGUST 21, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Robert W. Dowling* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 24, 1991
Zoning Administration and Development Management
FROM: Robert W. Dowling, F.E.
RE: Zoning Advisory Committee Meeting
for September 3, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 55, 56, 54, 82, 85, 88, 89, 90, 93, 94, 96, 97, 98, and 99.

For Item 84, see the County Review Group comments for the St. Lukes Apartment site.

For Item 91, the previous County Review Group and Public Works Agreement comments remain in effect.

For Item 92, the previous County Review Group comments remain in effect.

For Item 95, see the County Review Group comments for this site.

For Item 101, comments are reserved for this site until the County Review Group meeting.

Robert W. Dowling
ROBERT W. DOWLING, F.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 20, 1991
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for August 20, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 55, 57, 58, 59, 60, 61 and 63.

For Item 52, this site must be submitted through the minor subdivision process for review and comments.

For Item 45, a revised County Review Group Meeting is required for these additions.

For Item 49, the previous County Review Group Comments are still applicable.

For Item 56, the location given for the sign appears to be within the right of way of the public road.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: September 26, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 20, 1991

This office has no comments for item numbers 45, 52, 55, 56, 57, 58, 59, 60, 61 and 63.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

Important Note:

92-59-X

The petitioner, Penn Advertising of Baltimore, Inc., insisted on filing this petition for Special Exception. The petition packet and site plan are incomplete, but because of Bill 87-91 which will delete the outdoor advertising sign in the B.R. zone, the petitioner had 45 days from the signing of this bill to file their petition. They will be filing an amended plan and complete packet within two weeks of this original filing date. The petitioner was made aware that they will be required to pay any amendment or added hearing fees. It was the petitioner's advise from the Executive Office to file within 45 days and then amend if necessary.

Mitchell Kellman

#56

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



(410) 887-3353

November 29, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception and Zoning Variance
5/5 Eastern Boulevard, 25' W of the c/l of Lynbrook Road
(2925 Eastern Boulevard)
15th Election District, 5th Councilmanic District
CLARENCE COX, Trustee - Petitioner
Case No. 92-59-XA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 13, 1991 by Fred M. Lauer, Attorney on behalf of Penn Advertising of Baltimore, Inc. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Zoning Commissioner

LES:cer

Enclosures

cc: Clarence Cox, 528 Eastern Boulevard, Baltimore, MD 21221

Fred M. Lauer, Esquire - P.O. Box 4868, Baltimore, MD 21221

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Special Exception and Zoning Variance
S/S Eastern Boulevard, 25' W of the c/l of Lynbrook Road
(2925 Eastern Boulevard)
15th Election District - 5th Councilmanic District
CLARENCE COX - Petitioner
Case No. 92-59-XA

Petition(s) for Special Exception and Zoning Variance
Description of Property
Certificate of Posting
Certificate of Publication
Entry of Appearance of People's Counsel (None submitted)
Zoning Plans Advisory Committee Comments
Director of Planning & Zoning Comments (Included with ZAC Comments)
Petitioner's Exhibits: 1. Plat to accompany petition
2. MVA Traffic Accident Study
3A & 3B - Two polaroid photographs
4. Listing of business using outdoor ___?
5. Report of inventory from 1980 to 1991

Deputy Zoning Commissioner's Order dated October 15, 1991 (Denied)
Notice of Appeal received November 13, 1991 from Fred M. Lauer, Attorney on behalf of Penn Advertising, Inc.

cc: Clarence Cox, 528 Eastern Boulevard, Baltimore, MD 21221

Fred M. Lauer, Esquire - P.O. Box 4868, Baltimore, MD 21221

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of Zoning Administration
and Development Management
Public Services

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
AND ZONING VARIANCE
S/S Eastern Blvd., 25' W of C/L : OF BALTIMORE COUNTY
of Lynbrook Rd. (2925 Eastern Blvd.), 15th Election District : Zoning Case No. 92-59-XA
5th Councilmanic District
CLARENCE A. COX (TRUSTEE),
Owner; PENN ADVERTISING OF
BALTIMORE, INC., Contract
Lessor/Appellant

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 18th day of February, 1992, a copy of the foregoing Entry of Appearance was mailed to Fred M. Lauer, Esquire, P.O. Box 4868, Baltimore, MD 21211, Attorney for Contract Lessor/Appellant.

Phyllis Cole Friedman
Phyllis Cole Friedman

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 13, 1991

Clarence Cox
528 Eastern Boulevard
Baltimore, MD 21221

RE: Petition Filed in Zoning Office
Item Number 56

Dear Petitioner:

This letter is to inform you that your Petition for Special Exception has been placed on the agenda for the week of August 20, 1991 due to the fact that the Contract Lessor, Penn Advertising of Baltimore Inc., insisted on filing. However, there are many technical problems with this petition. According to our records, this Petition was filed on August 7, 1991 with Mitchell J. Kellman.

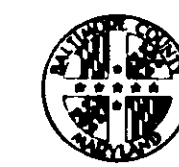
If you have any questions regarding your petition, you must contact Mr. Kellman at 887-3351 to rectify the problem.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:scj

cc: Penn Advertising of Baltimore, Inc.
Fred Lauer, Esquire



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 12, 1993

RECEIVED
APR 13 1993
ZADM

Fred M. Lauer, Esquire
Penn Advertising of Baltimore, Inc.
P.O. Box 4868
Baltimore, MD 21211

RE: Case No. 92-59-XA
Clarence Cox /Trustee

Dear Mr. Lauer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Penn Advertising of Baltimore, Inc.
Mr. Clarence Cox
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director /ZAC

1/15/92 - Following parties notified of hearing set for April 30, 1992 at 10:00 a.m.:

Fred M. Lauer, Esquire
Penn Advertising, Inc.
Mr. Clarence Cox
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

3/27/92 - Letter from Fred Lauer, Penn Advertising, requesting postponement of above matter pending outcome of Case No. 91-206-X / J. R. Brothers, Inc.

4/2/92 - Above parties notified of POSTPONEMENT at the request of Petitioner. Not to be reset at this time.

1/13/93 - Notice of Assignment sent to parties: hearing set for Wednesday, March 24, 1993 at 1:00 p.m.

PETITION CHECKLIST

Before the above petition can be accepted for filing, the following items must be corrected/included:

- Section information has been typed in. Please check and return to top drawer.
- Item number must be on all papers in the file folder.
- Item number must be in ink (pencil does not copy well).
- Item number generated by computer (on receipt) is not the same as item number on material in folder and/or pink sheet.
- Section information missing on petition forms.
- Not "original" signatures on all copies of petition forms.
- Owner's name address and/or telephone number is not on petition forms.
- Need signature and/or printed name and/or title of person signing for company. (CONTRACT LESSOR)
- Need an attorney.
- "Red stamp" or closing information is not on petition form.
- Following information is missing on the file folder:
- Petitioner's name
 - Item number
 - Description
 - Actual address
 - zoning
 - acreage
 - election district
 - councilmanic district
- Need 12 plats. Only in folder.
- Plats need to be folded to 8-1/2" x 11".
- There is a difference in date between date taken in and date put in drawer for agenda. Put a note in the folder explaining this.
- No 200 SCALE MAP.
- No DESCRIPTIONS (3).
- CLARENCE COX IS TRUSTEE FOR WHO. NEED COPY OF TRUST AGREEMENT.



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 4316
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
Room 48, Old Courthouse
400 Washington Avenue
(301) 887-3180
January 15, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-59-XA
CLARENCE COX (TRUSTEE)
S/s Eastern Blvd., 25' W of c/l
Lynbrook Road (2925 Eastern Blvd.)
15th Election District;
5th Councilmanic District

SE-Illuminated sign;
VAR-Outdoor advertising sign & side
yard setback.
10/15/91 - D.Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: WEDNESDAY, APRIL 30, 1992 AT 10:00 a.m.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser
Penn Advertising, Inc. - Contract Purchaser/Appellant
Mr. Clarence Cox - Petitioner

People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary

1/15/92 - a no - 1



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 4316
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
Room 48, Old Courthouse
400 Washington Avenue
(301) 887-3180
January 21, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-59-XA
CLARENCE COX (TRUSTEE)
S/s Eastern Blvd., 25' W of c/l
Lynbrook Road (2925 Eastern Blvd.)
15th Election District;
5th Councilmanic District

SE-Illuminated sign;
VAR-Outdoor advertising sign & side
yard setback.
10/15/91 - D.Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: THURSDAY, APRIL 30, 1992 AT 10:00 a.m.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser
Penn Advertising, Inc. - Contract Purchaser/Appellant
Mr. Clarence Cox - Petitioner

People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary

1/15/92 - a no - 1
1/15/92 - a no - 1
1/15/92 - a no - 1



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
April 2, 1992

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-59-XA
CLARENCE COX (TRUSTEE)
S/s Eastern Blvd., 25' W of c/l
Lynbrook Road (2925 Eastern Blvd.)
15th Election District;
5th Councilmanic District

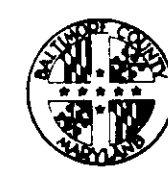
SE-Illuminated sign;
VAR-Outdoor advertising sign & side
yard setback.
10/15/91 - D.Z.C.'s Order DENYING
Petition.

which was scheduled for hearing on April 30, 1992 has been POSTPONED at the request of Petitioner and will not be reset at this time.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser
Penn Advertising, Inc. - Contract Purchaser/Appellant
Mr. Clarence Cox - Petitioner

People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue
January 13, 1993

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-59-XA
CLARENCE COX (TRUSTEE)
S/s Eastern Blvd., 25' W of c/l
Lynbrook Road (2925 Eastern Blvd.)
15th Election District;
5th Councilmanic District

SE-Illuminated sign;
VAR-Outdoor advertising sign & side
yard setback.

10/15/91 - D.Z.C.'s Order DENYING
Petition.

ASSIGNED FOR: WEDNESDAY, MARCH 24, 1993 at 1:00 p.m.

cc: Fred M. Lauer, Esquire - Counsel for Contract Purchaser
Penn Advertising, Inc. - Contract Purchaser/Appellant
Mr. Clarence Cox - Petitioner

People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Kathleen C. Weidenhammer
Administrative Assistant



PENN ADVERTISING OF BALTIMORE, INC.

November 11, 1991

Zoning Commissioner
Baltimore County
Baltimore County Office Bldg.
Room 112
Towson, Maryland 21204

RE: Petitions for Special
Exception and Zoning Variance
S/S Eastern Boulevard, 25'
W of the C/L of Lynbrook Road
(2925 Eastern Boulevard)
15th Election District
5th Councilmanic District
Clarence Cox Trustee - Petitioner
Case No. 92-59-XA

Dear Sir/Madam:

Please enter an appeal in the above captioned proceeding on behalf of Penn Advertising of Baltimore, Inc.

Enclosed is a check for \$350.00 which covers the appeal fees and the sign posting.

Thank you for your attention to this matter. Please let me know if additional information is necessary.

Very truly yours,

Fred M. Lauer, esq.

FML/adw

Enclosure

cc: Mr. James W. Fisher, II
Ms. Donna T. Hayward
Mr. Clarence Cox

P.O. Box 4868, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore MD 21211 (301) 235-8820



PENN ADVERTISING OF BALTIMORE, INC.

March 25, 1992

Board of Appeals
Baltimore County
Old Court House
Room 49
400 Washington Avenue
Towson, Maryland 21204

re: Case No. 92-59-XA
Petition for Special Exception
and Zoning Variance S/S Eastern
Boulevard, 25' W of the c/l of Lynbrook
Road (2925 Eastern Boulevard)
15th Election District, 5th Councilmanic District

Dear Board,

On behalf of the petitioner, we would request a postponement on the above mentioned matter scheduled for April 30, 1992 at 10:00 a.m. The reason for requesting this postponement is that the property in question is located in a BR Zone. The Board of Appeals now has a motion to dismiss a pending appeal in Case No. 91-206X. The outcome of the Board's ruling on that matter will determine whether this case can go forward.

I have spoken to Mr. Peter Max Zimmerman, Deputy People's Counsel and he has stated that they have no objection to this postponement. We will reschedule or withdraw this case based upon the Board's determination in the other pending case.

Thank you for your consideration.

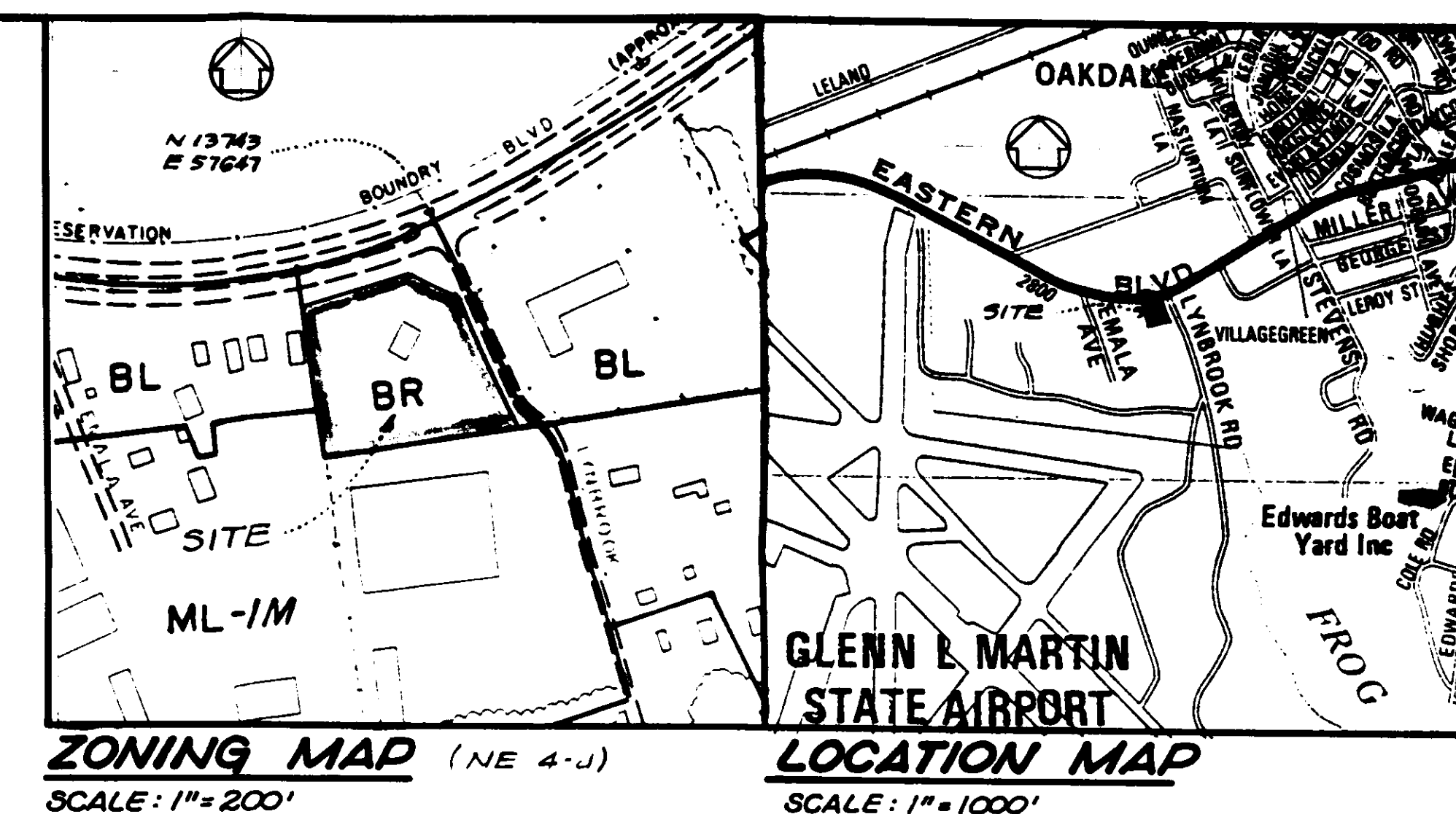
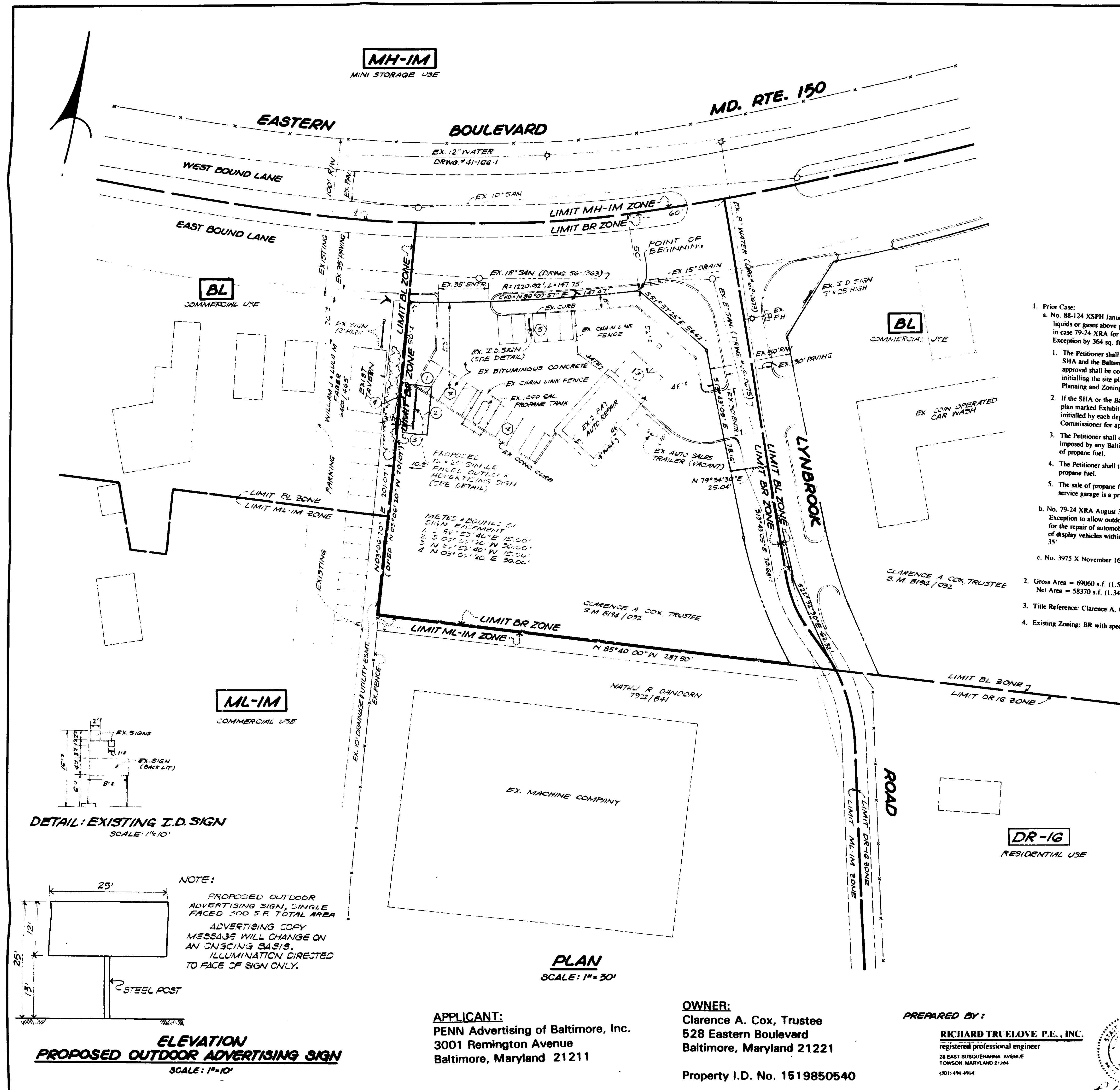
Very truly yours,

Fred M. Lauer, esq.

FML:km

cc: Ms. Phyllis Cole Friedman
Mr. Peter Max Zimmerman
Mr. Clarence A. Cox
Mr. James W. Fisher II

P.O. Box 4868, Baltimore, MD 21211 Shipping: 2930 Remington Ave., Baltimore, MD 21211 (410) 235-8820



ZONING NOTES

- Prior Case:
 - No. 88-124 XSPH January 12, 1988: Special Exception for storage of inflammable liquids or gases above ground; and a Special Hearing to amend the site plan approved in case 79-24 XRA for the sale of propane fuel and a reduction of the original Special Exception by 364 sq. ft. Subject to:
 - The Petitioner shall obtain approval of the Site Plan marked Exhibit 1 from the SHA and the Baltimore County Fire Department within 45 days of this Order. Said approval shall be confirmed by authorized representatives from each department initialing the site plan. Thereafter, the site plan shall be submitted to the Office of Planning and Zoning for approval.
 - If the SHA or the Baltimore County Fire Department require a change in the site plan marked Exhibit 1, the Petitioner shall file a revised site plan that has been initially by each department to the Zoning Commissioner or Deputy Zoning Commissioner for approval.
 - The Petitioner shall comply with all regulations, requirements, and conditions imposed by any Baltimore County department regarding the propane tank and sale of propane fuel.
 - The Petitioner shall train all employees who will be involved in the sale of propane fuel.
 - The sale of propane fuel on the property is permitted only as long as the existing service garage is a primary use of the property by the Petitioner.
 - No. 79-24 XRA August 3, 1978: Reclassification from M.L. to B.R. with a Special Exception to allow outdoor used automobile sales separate from a sales building; and for the repair of automobiles in a B.R. zone; and with a Variance to allow the parking of display vehicles within 8' of the right-of-way of Eastern Avenue in lieu of the required 35'.
 - No. 3975 X November 16, 1956: Special Exception to allow use as gasoline station.
- Gross Area = 69060 s.f. (1.58 ac. +/-)
Net Area = 58370 s.f. (1.34 ac. +/-)
- Title Reference: Clarence A. Cox, Trustee, 8194/032
- Existing Zoning: BR with special exceptions and variances as indicated in Zoning Notes
- Proposed Zoning: BR with a special exception for an outdoor advertising sign and an additional Variance to Section 413.3b, to allow an outdoor advertising sign 35' from the right-of-way of a dual highway in lieu of the required 100' VARIANCE TO SECTION 236.2 TO ALLOW A SIDE YARD OF 10.5' IN LIEU OF THE REQUIRED 30' R/L 2-22-71
- Existing Use: Automobile Repair and outdoor automobile sales
- Proposed Use: Automobile Repair and outdoor automobile sales with outdoor advertising sign.
- All Existing Structures On Site To Remain. Existing automobile repair 1299 s.f. gross floor area, existing sales trailer 200 s.f. gross floor area
- Floor Area Ratio: 1499/69060 = 0.022 (max. allowed 2.0)
- Off Street Parking
 - Parking Required @ 1 space per 300 s.f. gross floor area auto repair = 5 spaces
@ 1 space per 200 s.f. gross floor area auto sales = 1 space
 - Total Spaces Required: = 6
 - Total Spaces Provided: 16
 - Minimum Parking Space: 8.5' x 18'
 - All Paved Surfaces Are Bituminous Concrete.
- Building Setback Requirements
 - Front: 50' from dual highway (OUTDOOR ADVERTISING SIGN 100' SETBACK)
 - Side: 30'
 - Rear: 30'
- Setbacks Provided (For Proposed Sign Only):
 - Front: 53' (variance to 413.3b requested)
 - Side: 10.5'
 - Rear: 118'
- Section 413.3 Notes
 - Total Surface Of Sign Area = 300 s.f.
 - Sign is located at/or beyond the minimum front yard requirement for a commercial building.
 - Sign is located more than 100' from an intersection involving a dual line highway and 50' from an intersection of any street
- Section 413.5 Notes (BCZR)
 - Maximum sign height is 25'
 - Illumination is confined to the surface of the sign and is directed to the face of the sign only.
- The property outline shown hereon is based on deeds, plats, and other sources. It does not represent a field survey, or property determination.

PETITIONER'S EXHIBIT 1

Revised Plans - 8/21/91
92-51-X
#56

**PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION & ZONING VARIANCE
PENN ADVERTISING, INC.**
2925 EASTERN BOULEVARD
15TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND AUGUST 20, 1991